

JOE WARDY  
MAYOR



## CITY COUNCIL

SUSAN AUSTIN  
DISTRICT NO. 1

ROBERT A. CUSHING, JR.  
DISTRICT NO. 2

JOSE ALEXANDRO LOZANO  
DISTRICT NO. 3

JOHN F. COOK  
DISTRICT NO. 4

DANIEL S. POWER  
DISTRICT NO. 5

PAUL J. ESCOBAR  
DISTRICT NO. 6

VIVIAN ROJAS  
DISTRICT NO. 7

ANTHONY W. COBOS  
DISTRICT NO. 8

REGULAR COUNCIL MEETING  
COUNCIL CHAMBERS  
MARCH 2, 2004  
9:00 A.M.

The City Council met in regular session at the above place and date. Mayor Joe Wardy present and presiding and the following Council Members answered roll call: Susan Austin, Robert A. Cushing, Jr., Jose Alexandro Lozano, John F. Cook, Daniel S. Power, Vivian Rojas, and Anthony W. Cobos. Absent: None. Late arrival: Paul J. Escobar at 9:17 a.m. Meeting was called to order at 9:07 a.m. and the invocation was given by Police Chaplain Carlos Flores, followed by the Pledge of Allegiance to the Flag of the United States of America.

### MAYOR'S PROCLAMATION

1. ***Oro Temple and Oro Court's Potentate and Commandress Celebration***

No action was taken on the following item: Recalls. [William F. Hart, Jr.]

Mr. William F. Hart, Jr., citizen, stated that it was the citizens of El Paso who pay for recall elections and requested that the City of El Paso make improvements to the recall ordinance so that recall elections were less aggravating.

\*Motion made, seconded and unanimously carried to postpone one (1) week the following item: A real American Revolutionary Hero, George Mason. [Anita Blair]

No action was taken on the discussion and action on protest of citizens' limited freedom of speech.  
[Maria C. Rivera and Rosalinda de la O]

Mses. Maria C. Rivera, Rosalinda de la O, and Margarita Mesa commented on the lack of cooperation and respect to the residents of the Housing Authority of the City of El Paso ("HACEP"), the manner in which the HACEP Board conducts its meetings, corruption within the HACEP staff, HACEP literature printed in English only, and other issues. Mrs. Rivera provided copies of her letter to the Council Members (on file in the City Clerk's office) and requested that Mayor Joe Wardy remove Mr. Steve Yellen, Chairman of the HACEP Board, and Ms. Esperanza Vilchis, HACEP Board Member.

Ms. Diana Nuñez, Deputy City Clerk, provided translation services for the Council Members.

Mayor Wardy responded that an investigation of the rules and regulations of the HACEP would be conducted and added that he would forward the Notices of HACEP meetings to the Council Members.

Representative Cobos asked that Mayor Wardy request a copy of the audiotape the HACEP meeting in question and stated that he would schedule a Legislative Review Committee of the Whole meeting regarding the HACEP.

Representatives Cushing and Lozano commented.

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Motion made by Representative Cobos, seconded by Representative Cook and unanimously carried to approve, as revised, all matters listed under the Consent Agenda unless otherwise noted.  
(Items approved, postponed, or deleted pursuant to the vote on the Consent Agenda will be shown with an asterisk {\*}).

.....  
\*Motion made, seconded and unanimously carried to postpone one (1) week the approval of the Minutes for Regular City Council Meeting of February 24, 2004.

.....  
**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor be authorized to sign an Agreement for Appraisal Services by and between the CITY OF EL PASO and GONZALO LAJE AND ASSOCIATES, INC. for an appraisal to establish value for the property described as Lot 11, 11A and 11B, Block 5, El Paso International Airport Tracts, Unit 3, Replat, City of El Paso, El Paso County, Texas, municipally known and numbered as 6601 Montana Ave.

.....  
**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor be authorized to sign a Non Commercial Aviation Ground Lease between the City and Dade Aviation, Inc. for the land located at 7605 Boeing Dr.

.....  
**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor be authorized to sign a Lessor's Approval of Sublease by and between the City of El Paso ("Lessor"), Airparts of El Paso, Ltd. ("Lessee"), Advanced Aircraft Services ("Sublessee") and Atoire Air whereby Atoire Air will sublease a portion of the property described as Parcel 2C, being a Portion of Lot 2, Block 4, EPIA Tracts, Unit 10, municipally known and numbered as 1776 American Drive, El Paso, Texas, from Sublessee.

.....  
**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor be authorized to sign on behalf of the City, a Contract of Sale between the CITY OF EL PASO and PETRA SAUCEDO for the purchase of Lots 7 and 8, Block 26, WOODLAWN, El Paso, El Paso County, Texas, also known as 214 Gateway Boulevard North to be used for the purpose of completing the El Paso Zoo Expansion Project.

**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

**THAT** the City Council approve a Letter of Engagement between the City of El Paso and Clyde A. Pine, Attorney at Law, Mounce, Green, Myers, Safi & Galatzan, a Texas Professional Corporation to provide legal services relating to the acquisition of real property in connection with the City of El Paso Zoo expansion project through and including eminent domain proceedings.

.....  
\*Motion made, seconded and unanimously carried to delete a Resolution that the Mayor be authorized to sign Memorandum of Understanding by and between the City of El Paso, United Way of El Paso County and Kids View, Inc., governing the transfer of United Way Child Care funds in the total amount of \$48,000 through the City to secure federal matching funds from the Upper Rio Grande Workforce Development Board, Inc.; and

That the Mayor be authorized to sign any amendments to the above referenced Agreements or Memorandum of Understanding which might be necessary to commit additional United Way funds to receive additional federal matching child care funds or to extend the time period to expend the federal matching child care funds provided that no additional City or CDGB funds are required, upon approval of the City Attorney's Office and the Director of Community and Human Development.

.....  
\*Motion made, seconded and unanimously carried to delete a Resolution that the Mayor be authorized to sign a Contract between the **CITY OF EL PASO** and **VERONICA M. CAMPBELL**, to assist the Community and Human Development Department as a Grant Technician at an hourly rate of \$11.86 for 40 hours per week. The term of the contract shall be for the period of March 8, 2004 through September 30, 2004.

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**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

**THAT** the Mayor, on behalf of the City and the City Clerk, be authorized to sign a Release of Lien whereby the City releases its lien in the amount of Twelve Thousand Seven Hundred And No/100 Dollars (\$12,700.00, Grant-\$6,883.00 and Loan-\$5,817.00), against the following described real property:

Lot 12, Block 9, Hacienda Heights Unit Two, an addition to the City of El Paso, El Paso County, Texas, according to the map thereof on file in Book 3, Page 50, Plat Records of El Paso County, Texas; known and numbered as 7512 Hermosillo

for consideration paid to the City in full satisfaction of that certain promissory note executed by the owner of the above-described real property and payable to the order of the City.

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**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

**THAT** the Mayor, on behalf of the City and the City Clerk, be authorized to sign a Release of Lien whereby the City releases its lien in the amount of Eight Thousand Seven Hundred And No/100 Dollars (\$8,700.00, Grant-\$4,800.00 and Loan- \$3,900.00), against the following described real property:

Lot 30, and the West ½ of Lot 29, Block 3, Miraflor Addition, an addition to the City of El Paso, El Paso County, Texas, according to the map thereof, on file in Volume 14, Page 55, Plat Records of El Paso County, Texas; known and numbered as 3105 Cypress



Lot 1, Block 17, Parkdale Addition, an addition to the City of El Paso, El Paso County, Texas, according to the plat thereof, recorded in Volume 1, Page 57, Plat Records of El Paso County, Texas; known and numbered as 5904 Sabine

for consideration paid to the City in full satisfaction of that certain promissory note executed by the owner of the above-described real property and payable to the order of the City; and that the City Comptroller issue a refund check resulting from an overpayment on the loan for the amount of Three and 29/100 Dollars (\$3.29).

.....  
**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

THAT the Mayor, on behalf of the City and the City Clerk, be authorized to sign a Release of Lien whereby the City releases its lien in the amount of Nineteen Thousand Three Hundred Seventy And No/100 Dollars (\$19,370.00, Grant-\$10,140.00 and Loan- \$9,230.00), against the following described real property:

Lot 1, Block 17, Parkdale Addition, an addition to the City of El Paso, El Paso County, Texas, according to the plat thereof, recorded in Volume 1, Page 57, Plat Records of El Paso County, Texas; known and numbered as 5904 Sabine

for consideration paid to the City in full satisfaction of that certain promissory note executed by the owner of the above-described real property and payable to the order of the City; and that the City Comptroller issue a refund check resulting from an overpayment on the loan for the amount of Three Hundred Sixty Eight and 78/100 Dollars (\$368.78).

.....  
Motion made, seconded and unanimously carried to move to the regular agenda the following:

**RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor be authorized to sign a Contract between the **CITY OF EL PASO** and **LARRY E. ROMERO**, to assist the Economic Development Department as an Economic Development Assistant Director at a biweekly rate of \$2,305.49 for 40 hours per week. The term of the contract shall be for the period of March 13, 2004 through September 12, 2004. Subject to the concurrence of the Civil Service Commission.

Representative Rojas questioned the need for the contract.

Mayor Joe Wardy explained that Mr. Romero was appointed the Assistant Economic Development Director and would assist the newly appointed Economic Development Director during the transition.

Motion made by Representative Lozano, seconded by Representative Rojas and unanimously carried to approve the above Resolution as revised.

NOTE: Resolution was revised to add "Subject to the concurrence of the Civil Service Commission".  
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**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor be authorized to sign a Contract between the **CITY OF EL PASO** and **ELIZABETH RUVALCABA** to assist the El Paso Museum of Art as a Museum Sales Clerk at an hourly rate of \$9.29 for a minimum of 16 hours per week, not to exceed 40 hours per week. The term of the contract shall be for the period of March 5, 2004 through March 4, 2005.  
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**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor be authorized to sign a Cooperative Work Study Contract between the **CITY OF EL PASO** and **LETICIA GOMEZ** as a Library Assistant for the El Paso Public Library at an hourly rate of \$5.57 per hour not to exceed 20 hours per week without permission from the Co-Op Coordinator, in which case student may work up to 40 hours per week. Employee may be required to use own vehicle to travel to different Library branches and will be reimbursed for mileage at a rate of \$.36 per mile, not to exceed 150 miles per week or a total of \$54.00 per week. The term of the contract shall be for the period of March 3, 2004 through March 2, 2005.

**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor be authorized to sign a Contract between the **CITY OF EL PASO** and **TERESA LAURENZANA-GAMBOA**, to assist the Municipal Courts as a Juvenile Compliance Coordinator at a biweekly rate of \$1,232.27 for 40 hours per week. The term of the contract shall be for the period of March 13, 2004 through March 12, 2005. Subject to the concurrence of the Civil Service Commission.  
NOTE: Resolution was revised to add "Subject to the concurrence of the Civil Service Commission".

**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor be authorized to sign a License Agreement by and between the **CITY OF EL PASO** and **JAVIER'S SHOESHINE**, for shoeshine services to be located at City Hall for a one (1) year period from the date of execution.

**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor be authorized to sign a Contract between the **CITY OF EL PASO** and **LISA MARIE PEREZ**, to assist the Parks and Recreation Department as a Daycare Director at an hourly rate of \$8.05 for 40 hours per week. The term of the contract shall be for the period of March 3, 2004 through August 31, 2004.

**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

**THAT** the Mayor be authorized to execute the following **INDEPENDENT CONTRACTOR** contracts on behalf of the **PARKS AND RECREATION DEPARTMENT**. Funding for these contracts is in fiscal year **2003/2004** appropriations to be approved by the City Council.

**ARMIJO RECREATION CENTER**

**DEPARTMENT ID: 51510165, ACCOUNT 502214**

- |    |              |                                       |
|----|--------------|---------------------------------------|
| 1. | CONTRACTOR:  | Joel L. Alvarez, Kickboxing Aerobics  |
|    | DATES:       | March 3, 2004 through August 31, 2004 |
|    | RATE PER CL: | \$7.00                                |
|    | MAXIMUM AMT: | \$553.00                              |
|    | CONTRACT:    | <b>2003/2004-097</b>                  |

2. CONTRACTOR: Alejandra V. Valadez, Dance & Exercise Instructor  
DATES: March 3, 2004 through August 31, 2004  
RATE PER CL: \$9.00  
MAXIMUM AMT: \$3564.00  
CONTRACT: **2003/2004-098**

**MULTIPURPOSE CENTER**

**DEPARTMENT ID: 51510032, ACCOUNT 502214**

3. CONTRACTOR: Alex Ahumada, Cooking Instructor  
DATES: March 3, 2004 through August 31, 2004  
RATE PER CL: \$10.00  
MAXIMUM AMT: \$500.00  
CONTRACT: **2003/2004-099**
4. CONTRACTOR: Arturo Saldaña, Keyboard/Piano Instructor  
DATES: March 3, 2004 through August 31, 2004  
RATE PER CL: \$9.00  
MAXIMUM AMT: \$468.00  
CONTRACT: **2003/2004-100**
5. CONTRACTOR: Gilbert Silva, Guitar Instructor  
DATES: March 3, 2004 through August 31, 2004  
RATE PER CL: \$13.50  
MAXIMUM AMT: \$351.00  
CONTRACT: **2003/2004-101**

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**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

**THAT** the Mayor be authorized to execute the following **INDEPENDENT CONTRACTOR** contracts on behalf of the **PARKS AND RECREATION DEPARTMENT**. Funding for these contracts is in fiscal year **2003/2004** appropriations to be approved by the City Council.

**ACOSTA SPORTS CENTER**

**DEPARTMENT ID: 51010215, ACCOUNT 502215**

1. CONTRACTOR: Edward Adams, Scorekeeper  
DATES: March 18, 2004 through August 31, 2004  
RATE PER CL: \$8.00  
MAXIMUM AMT: \$2,200.00  
CONTRACT: **2003/2004-102**
2. CONTRACTOR: Edward Adams, Softball Field Supervisor  
DATES: March 18, 2004 through August 31, 2004  
RATE PER CL: \$11.00  
MAXIMUM AMT: \$2,200.00  
CONTRACT: **2003/2004-103**
3. CONTRACTOR: Nancy Jackson, Softball Field Supervisor  
DATES: March 18, 2004 through August 31, 2004  
RATE PER CL: \$12.00  
MAXIMUM AMT: \$2,400.00  
CONTRACT: **2003/2004-104**
- .....

**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

**THAT** the Mayor be authorized to execute the following **INDEPENDENT CONTRACTOR** contract on behalf of the **PARKS AND RECREATION DEPARTMENT**. Funding for this contract is in fiscal year **2003/2004** appropriations to be approved by the City Council.

**MULTIPURPOSE CENTER**

**DEPARTMENT ID: 51510032, ACCOUNT 502214**

1. CONTRACTOR: Belinda M. Garcia, Aerobics Instructor  
DATES: March 3, 2004 through August 31, 2004  
RATE PER CL: \$8.00  
MAXIMUM AMT: \$424.00  
CONTRACT: **2003/2004-105**

.....  
**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor be authorized to execute the following **EMPLOYEE CONTRACTOR** contracts on behalf of the **PARKS AND RECREATION DEPARTMENT**. Funding for these contracts is in fiscal year **2003/2004** appropriations to be approved by the City Council.

**AQUATICS**

**DEPARTMENT ID: 51010281, ACCOUNT 501011**

1. CONTRACTOR: Jose L. Chavez, Lifeguard, Step2  
DATES: March 10, 2004 through September 30, 2004  
RATE PER HR: \$6.00  
CONTRACT NO: **2003/2004-161**
2. CONTRACTOR: Ruby Cobos, Swim Instructor Coordinator, Step 1  
DATES: May 23, 2004 through September 30, 2004  
RATE PER HR: \$6.50  
CONTRACT NO: **2003/2004-162**
3. CONTRACTOR: Joel R. Hill, Outdoor Pool Manager, Step 2  
DATES: May 9, 2004 through September 30, 2004  
RATE PER HR: \$7.50  
CONTRACT NO: **2003/2004-163**
4. CONTRACTOR: Melissa Jarvis, Pool Attendant, Step 1  
DATES: March 10, 2004 through September 30, 2004  
RATE PER HR: \$5.40  
CONTRACT NO: **2003/2004-164**
5. CONTRACTOR: Thomas F. Jones, Outdoor Pool Manager, Step 2  
DATES: May 9, 2004 through September 30, 2004  
RATE PER HR: \$7.50  
CONTRACT NO: **2003/2004-165**



6. CONTRACTOR: Guadalupe Montes, Senior Lifeguard, Step1  
DATES: May 9, 2004 through September 30, 2004  
RATE PER HR: \$6.60  
CONTRACT NO: **2003/2004-166**
7. CONTRACTOR: Elma Rivas, Lifeguard, Step 2  
DATES: March 10, 2004 through September 30, 2004  
RATE PER HR: \$6.00  
CONTRACT NO: **2003/2004-167**
8. CONTRACTOR: Jessica E. Sanchez, Indoor Pool Manager, Step 1  
DATES: March 21, 2004 through September 30, 2004  
RATE PER HR: \$7.75  
CONTRACT NO: **2003/2004-168**
9. CONTRACTOR: Guillermo Soriano, Lifeguard, Step 2  
DATES: March 10, 2004 through September 30, 2004  
RATE PER HR: \$6.00  
CONTRACT NO: **2003/2004-169**
10. CONTRACTOR: Angelina C. Stringfield, Outdoor Pool Manager, Step 2  
DATES: May 9, 2004 through September 30, 2004  
RATE PER HR: \$7.50  
CONTRACT NO: **2003/2004-170**
11. CONTRACTOR: Monica T. Romero, Pool Attendant, Step1  
DATES: March 10, 2004 through September 30, 2004  
RATE PER HR: \$5.40  
CONTRACT NO: **2003/2004-171**
12. CONTRACTOR: Leah A. Wayne, Swim Instructor Coordinator, Step 1  
DATES: March 10, 2004 through September 30, 2004  
RATE PER HR: \$6.50  
CONTRACT NO: **2003/2004-172**

**NORTHEAST RECREATION CENTER**

**DEPARTMENT ID: 51510107, ACCOUNT 501011**

13. CONTRACTOR: Jennie Mobley, Day Care Instructor  
DATES: March 03, 2004 through August 31, 2004  
RATE PER HR: \$6.25  
CONTRACT NO: **2003/2004-173**

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Motion made, seconded and unanimously carried to move to the regular agenda the following:

**RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Chief of Police be authorized to submit an on-line grant application, and the Mayor be authorized to sign any related paperwork, and apply for a grant from the U.S. Department of Justice, Office on Violence Against Women, for a grant under the Training Grant to Stop Abuse and Sexual Assault Against Older Individuals or Individuals with Disabilities Grant Program in the amount of \$166,212.00 to pay for personnel and related costs for the purpose of training law enforcement personnel, prosecutors and



**\*RESOLUTION**

**WHEREAS**, in accordance with Section 9.04.380, entitled Abatement, of Chapter 9.04, Solid Waste Management, of the El Paso City Code, after providing due notices to the owner, AGUIRRE, FRANCISCO J., of the hereinafter described property that the owners' property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code, and the owners, having failed to comply with due notices, the Department of Solid Waste Management proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

**WHEREAS**, the Director of the Department of Solid Waste Management has reported the cost of doing such work in the amount hereinafter set forth;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

1. The City Council determines the actual cost of removing the accumulated trash, vegetation and weeds or other rubbish located on said property, being:

157 Keeney Court, City of El Paso, El Paso County, Texas, being more particularly described as Lot 16 (.1366 AC), Block A, Patterson Subdivision, Parcel #P609-999-000A-2400,

to be ONE HUNDRED EIGHTY FIVE AND 65/100 DOLLARS (\$185.65) as reported by the Director of the Department of Solid Waste Management. The City Council finds that the work was performed on the Twenty Fifth day of September, 2003, approves the costs.

2. The City Council, in accordance with Section 9.04.380 of the El Paso City Code, declares the above total amount ONE HUNDRED EIGHTY FIVE AND 65/100 DOLLARS (\$185.65) to be a lien on the above described property, said amount being due and payable within thirty (30) days from date of Council approval, and thereafter bearing ten percent (10%) interest per annum.
3. The City Clerk is directed to give notice of this Lien by filing a copy of this Resolution for record with the County Clerk.
4. All records of the City Clerk's office relating to the proceeding against the above-described property are made a part of this Resolution by reference.

**\*RESOLUTION**

**WHEREAS**, in accordance with Section 9.04.380, entitled Abatement, of Chapter 9.04, Solid Waste Management, of the El Paso City Code, after providing due notices to the owner, MARTINEZ, LOU JR & ALYCE of the hereinafter described property that the owners' property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code, and the owners, having failed to comply with due notices, the Department of Solid Waste Management proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

**WHEREAS**, the Director of the Department of Solid Waste Management has reported the cost of doing such work in the amount hereinafter set forth;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

1. The City Council determines the actual cost of removing the accumulated trash, vegetation and weeds or other rubbish located on said property, being:

to be NINETY THREE AND 64/100 ( \$ 93.64) as reported by the Director of the Department of Solid Waste Management. The City Council finds that the work was performed on the Tenth day of September, 2003, approves the costs.

2. The City Council, in accordance with Section 9.04.380 of the El Paso City Code, declares the above total amount NINETY THREE AND 64/100 ( \$ 93.64) to be a lien on the above described property, said amount being due and payable within thirty (30) days from date of Council approval, and thereafter bearing ten percent (10%) interest per annum.

3. The City Clerk is directed to give notice of this Lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's office relating to the proceeding against the above-described property are made a part of this Resolution by reference.

\*Motion made, seconded and unanimously carried to approve the request to fill the following position on a temporary basis in accordance with Article VI, Section 6.6-3, of the Civil Service Charter Provisions:

Recreation Leader I (1)

\*Motion made, seconded and unanimously carried to approve the following provisional appointments in accordance with Article VI, Section 6.6-2, of the Civil Service Charter Provisions:

### Police Records Specialist I (3)

\*Motion made, seconded and unanimously carried to approve the Staffing Table Change for **HEALTH**

Add	1.00	Compliance Coordinator	EX J
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\*Motion made, seconded and unanimously carried to approve the Staffing Table Change for **HEALTH**

Add	1.00	Clerk III	GS13
Delete	1.00	Clerk I	GS06

Motion made, seconded and unanimously carried to move to the regular agenda the appointment of Carmen Arrieta as Comptroller, effective March 8, 2004.

Representative Rojas commented on the requirement that City Department Heads must reside within the City limits.

Ms. Terry A. Bond, Director of Human Resources, explained that the Civil Service Commission had granted Ms. Arrieta a waiver as she was completing her educational studies at New Mexico State University.

Ms. Carmen Arrieta thanked the Council Members for their support and stated that she was looking forward to working with City staff.

Motion made by Representative Cushing, seconded by Representative Austin and unanimously carried that Carmen Arrieta be appointed Comptroller, effective March 8, 2004 at an annual salary of \$90,000.

Motion made, seconded and unanimously carried to move to the regular agenda the appointment of Dr. Norman C. Merrifield as Director of Parks and Recreation, effective April 5, 2004.

Representative Rojas stated that she had reviewed Dr. Merrifield's credentials; however, would have like to have had an opportunity to met with him.

Ms. Debbie Hamlyn, Deputy CAO for Quality of Life Services, apologized to Representative Rojas and noted that while Dr. Merrifield was in El Paso, he met with four of the Council Members.

Motion made by Representative Lozano, seconded by Representative Escobar and unanimously carried that Dr. Norman C. Merrifield be appointed Director of Parks and Recreation, effective April 5, 2004 at an annual salary of \$103,000.00, a car allowance of \$3,600, relocation expenses not to exceed \$2,000 and moving expenses based on the lowest of three quotes.

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\*Motion made, seconded and unanimously carried to re-appoint Alyce M. Burmeis to the Art Museum Advisory Board by Representative Daniel S. Power, District 5.

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\*Motion made, seconded and unanimously carried to appoint Robert H. Hoy, Jr. to the Art Museum Advisory Board by Mayor Joe Wardy.

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\*Motion made, seconded and unanimously carried to appoint Lorraine Wardy to the Public Arts Commission by Mayor Joe Wardy.

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\*Motion made, seconded and unanimously carried to appoint Alice Davis to the Parks and Recreation Advisory Board by Representative Vivian Rojas.

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\*Motion made, seconded and unanimously carried to allocate FIVE HUNDRED THIRTY-FIVE AND 20/100 DOLLARS (\$535.20) from District #4 Discretionary Funds to Hot Property Inc. d/b/a Sarabias Portable Johns & Blue Sanitation, for their services at the Northeast Gardens from November 2003 to March 2004.

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\*Motion made, seconded and unanimously carried to authorize District 5 discretionary funds in the amount of \$500.00 for use by Library for "Dia de los Niños-Dia de los Libros" annual event being held April 24, 2004.

.....  
\*Motion made, seconded and unanimously carried to award Bid No. 2004-059 Janitorial Services Rae Gilmore Recreation Center and San Juan Senior Citizen Center

Award to:	Vendor 1:	Global Clean
		El Paso, Texas
Item (s):		1 and 2
Amount:		\$10,099.92 (estimated annually)
	Vendor 2:	Total Cleaning Services
		El Paso, Texas
Item (s):		3 and 4
Amount:		\$7,617.90 (estimated annually)
Department:		Parks and Recreation
Funds available:		51010256-01101-502206
Funding source:		General Funds, Janitorial Maintenance Services Contract
Total award:		\$53,153.46 (estimated)

The Departments of Parks & Recreation and Purchasing recommend award as indicated as these vendors meet the Best Value Procurement Criteria and are responsible and responsive bidders.

\*Motion made, seconded and unanimously carried to award Bid No. 2004-060 Janitorial Services Nations-Tobin Recreation Center

\*Motion made, seconded and unanimously carried to award Bid No. 2004-065 Janitorial Services for the Central Police Regional Command Center and Police Headquarters

\*Motion made, seconded and unanimously carried to award RFP No. 2004-029R Benefit Consulting Services

Award to: Crest Consulting Services, Inc.  
El Paso, Texas  
Item (s): All  
Amount: \$130,090.00  
  
Department: Office of Management & Budget  
Funds available: 04100249-01101-502115  
Funding source: General Fund  
Total award: \$130,090.00

The Office of Management and Budget and the Purchasing Department recommend award as indicated. Crest Benefits Consulting, Inc., submitted the best proposal to meet the needs of the City.

This is a three year contract with two (2) one year options to extend the contract.

.....  
\*Motion made, seconded and unanimously carried to award Bid No. 2004-050 David Clark Vehicle Intercom Equipment

Award to: Finger Lakes Communication Co. Inc.  
Auburn, NY  
Item (s): All  
Amount: \$18,903.71  
  
Department: Fire  
Funds available: 508007-27503-04102010-P540010CTY  
Funding source: City Capital Outlay  
Total award: \$18,903.71

The Fire and Purchasing Departments recommend award as indicated to the lowest responsive offer meeting specifications, from responsible parties.

This is a fixed-price, single (one-time) purchase, to purchase David Clark Vehicle Intercom Equipment. There is an option to purchase up to one hundred percent (100%) of the original contract quantities, at the same unit price, if the option is exercised within ninety - (90) days from the date of award of the contract. No prompt payment discount was offered.

.....  
\*Motion made, seconded and unanimously carried to approve budget transfer BT2004-399 BUILDING AND PLANNING SERVICES

Building and Planning Services proposes to appropriate \$2,195,053 to fund Alabama-Fred Wilson to McKelligon. Funding Source is Fiscal Year 2004 GO Bonds.

Increase	\$ 219,156	to	14200403/PBE04ST10229116/508016	Design
Increase	\$2,195,053	to	14200403/PBE04ST10229116/407020	Bond Proc
Increase	\$ 128,915	to	14200403/PBE04ST10229116/508026	Inspections
Increase	\$ 90,241	to	14200403/PBE04ST10229116/508051	Management
Increase	\$1,717,566	to	14200403/PBE04ST10229116/508027	Construction
Increase	\$ 38,675	to	14200403/PBE04ST10229116/508024	Testing
Increase	\$ 500	to	14200403/PBE04ST10229116/508022	Administration

.....

\*Motion made, seconded and unanimously carried to approve budget transfer BT2004-423 BUILDING AND PLANNING SERVICES

Building and Planning Services proposes to appropriate \$2,980,100 to fund Street Resurfacing - D2. Funding Source is Fiscal Year 2004 GO Bonds.

Increase	\$2,980,100	to	14200403/PBE04ST13329148/407020	Bond Proc
Increase	\$ 500	to	14200403/PBE04ST13329148/508022	Administration
Increase	\$ 25,620	to	14200403/PBE04ST13329148/508024	Testing
Increase	\$2,953,980	to	14200403/PBE04ST13329148/508027	Construction

.....  
\*Motion made, seconded and unanimously carried to approve budget transfer BT2004-428 BUILDING AND PLANNING SERVICES

Building and Planning Services proposes to appropriate \$2,548,626 to fund Unpaved Rights of Way - D2. Funding Source is Fiscal Year 2004 GO Bonds.

Increase	\$ 500	to	14200403/PBE04ST13729153/508022	Administration
Increase	\$ 294,739	to	14200403/PBE04ST13729153/508016	Design
Increase	\$2,548,626	to	14200403/PBE04ST13729153/407020	Bond Proc
Increase	\$ 173,376	to	14200403/PBE04ST13729153/508026	Inspections
Increase	\$ 52,013	to	14200403/PBE04ST13729153/508024	Testing
Increase	\$ 121,363	to	14200403/PBE04ST13729153/508051	Management
Increase	\$1,906,635	to	14200403/PBE04ST13729153/508027	Construction

.....  
\*Motion made, seconded and unanimously carried to approve budget transfer BT2004-346 AIRPORT

Transfer of funds to cover acquisition of Mexican Fan Palms to replace dead and dying trees surrounding the Long Term Parking Lot.

Increase	\$10,000	to	62620006/40101/503203	LndscapSup
Increase	\$10,000	to	62620006/40101/407001	Intrfd Trf In
Increase	\$10,000	to	62620018/P50000241021/407002	Est Rev
Increase	\$10,000	to	62620018/P50000241021/507001	Intrfd Trf Out

.....  
\*Motion made, seconded and unanimously carried to approve budget transfer BT2004-349 BUILDING AND PLANNING SERVICES

Building and Planning Services proposes to appropriate transfer to establish a project for the Tillman Health Center-Life Safety System. Funding source is previously issued CO's.

Increase	\$22,000	to	31131001/PPWHE0400127064/508027	Construction
Increase	\$21,000	to	31131001/PPWHE0400127064/508050	Design
Increase	\$ 500	to	31131001/PPWHE0400127064/508024	Testing
Increase	\$ 500	to	31131001/PPWHE0400127064/508026	Inspection
Increase	\$44,000	to	31131001/P50148827061/407002	Est Rev
Decrease	\$44,000	from	31131001/P50148827061/507001	Intrfd Trf Out
Increase	\$44,000	to	31131001/PPWHE0400127064/407001	Intrfd Trf In

.....  
\*Motion made, seconded and unanimously carried to approve budget transfer BT204-369 AIRPORT  
Transfer of funds to cover the cost of relocating a sewer line for the ARFF Fire Station Building expansion.

Increase	\$32,000	to	62620029/PAP000700141062/508027	Construction
Increase	\$32,000	to	62620029/PAP000700141062/407001	Intrfd Trf In
Increase	\$32,000	to	62620018/P50000241021/407002	Est Rev
Increase	\$32,000	to	62620018/P50000241021/507001	Intrfd Trf Out



\*Motion made, seconded and unanimously carried to approve budget transfer BT2004-452 FIRE

To set up appropriation for FEMA Grant for Diesel Exhaust Removal Systems. Grant match from FY 03 Capital.

Increase	\$107,043	to	22150024/G22040307162/406000	Fed Grnt Proc
Increase	\$107,043	to	22150024/G22040307162/508008	MajOfEq&Apl

.....  
\*Motion made, seconded and unanimously carried to approve budget transfer BT2004-467 ARTS AND CULTURE

YISD donated \$7,000 for the Arts in Education Program to provide more workshops in their schools. Budget transfer necessary to align budget.

Increase	\$2,000	to	55150003/G55041707312/406002	Loc Grt Proc
Increase	\$2,000	to	55150003/G55041707312/502102	Artistic Fees

.....  
\*Motion made, seconded and unanimously carried to approve budget transfer BT2004-472 AIRPORT

Transfer of funds from Airport contingency to cover the cost of maintenance of FAA required work of the runways and taxiways to include signage, paint, glass beads and jet sealing materials.

Increase	\$ 50,000	to	62620009/40101/503200	FacilitiesMaint
Increase	\$125,000	to	62620009/40101/503211	Airfield Maint
Decrease	\$175,000	from	62620001/40101/504405	Contingency

.....  
\*Motion made, seconded and unanimously carried to approve the request of Parks & Recreation/El Paso Public Library to hold a parade on April 24, 2004 from 9:30 a.m. to 11:30 a.m. Route: Start at Fox Plaza parking lot to Paisano, proceed on Paisano and cross Alameda, continue on Paisano and cross Raynolds to Washington St. and finish at Washington Park. Approximately 500 persons, 15 vehicles will take part. This request includes permission to use amplification (1 bull horn, 30 amps, and 4 speakers) PERMIT NO. 04-007.

.....  
Motion made by Representative Cushing, seconded by Representative Escobar and unanimously carried that the following Ordinances, having been introduced pursuant to Section 3.9 of the El Paso City Charter, be advertised for public hearing:

- A. An Ordinance permitting Cielo Vista Optimist Club to use a portion of Shawver Park and Pavilion from 7:00 am until 4:00 pm on April 17, 2004.

**PUBLIC HEARING WILL BE HELD ON MARCH 16, 2004 FOR ITEM A**

- B. An Ordinance changing the zoning of Tract 4 and Tract 5A, Block 9, Upper Valley Surveys, El Paso, El Paso County, Texas (Westside Drive North of Gomez Road) from R-F (Ranch and Farm) to R-3 (Residential). The penalty being as provided in Chapter 20.68 of the El Paso Municipal Code. Applicant: Sam Phillips, Sal Masoud, Jose Hernandez, Ynez Hernandez, and Miguel Hernandez, Jr. / Representative: Del Rio Engineering, Inc., P.O. Box 220251, El Paso, TX 79913. ZON04-00005 **THIS IS AN APPEAL CASE.**
- C. An Ordinance changing the zoning of Tracts 6E, 6F and 6G, Block 9, Upper Valley Surveys, El Paso, El Paso County, Texas (Ada Lane North of Gomez Road) from R-F (Ranch and Farm) to R-3 (Residential). The penalty being as provided in Chapter 20.68 of the El Paso Municipal Code. Applicant / Representative: Enrique Escobar, 301 Borderland Road, El Paso, TX 79932. ZON04-00012. **THIS IS AN APPEAL CASE.**

D. An Ordinance granting Special Permit No. ZON03-00067, to allow for a planned residential development on a portion of Tracts 17C39 and 17C156, Block 79, Section 8, Township 3, Texas and Pacific Railway Company Surveys, El Paso, El Paso County, Texas pursuant to Section 20.12.040 (Zoning) of the El Paso Municipal Code. The penalty being as provided in Chapter 20.68 of the El Paso Municipal Code. Applicant: Tropicana Homes, Inc. / Representative: CEA Engineering Group; 2718 Wyoming Avenue, El Paso, TX 79903.

**PUBLIC HEARING WILL BE HELD ON MARCH 23, 2004 FOR ITEMS B – D**

Public Hearings will be held as part of the regular City Council meeting which begins at approximately 9AM. All interested persons present shall have an opportunity to be heard at that time. After the public hearings, Council may also delay taking action on Ordinances, no requirement is made by Section 3.9B of the El Paso City Charter to publish any further notice. Copies of all Ordinances are available for review in the City Clerk's office, 2 Civic Center Plaza, Monday through Friday, 8AM to 5PM.

.....  
\*Motion made, seconded and unanimously carried to postpone two (2) weeks the discussion and action concerning the installation of a multi-way (4-way) stop at the intersection of Parral and La Paz.  
.....

\*Motion made, seconded and unanimously carried to delete the discussion and action concerning the removal of mature trees from Historic Memorial Park and the failure of those employees and/or agents of the Parks and Recreation Department of the City of El Paso involved in the referenced actions to provide clear and unambiguous responses to address the founded concerns of residents and neighborhood groups.  
.....

\*Motion made, seconded and unanimously carried to delete the discussion and action on the extension of the contract of Access Administrators & Advantage Care Network and awarding of Employee Assistance Program (EAP) request for proposal.  
.....

Motion made by Representative Cook, seconded by Representative Cobos and unanimously carried to approve the (1) revised project scope; (2) revised project schedule; and (3) policy direction given the project of the February 2004 Progress Report of the Building & Zoning Advisory Committee.

Ms. Patricia Adatao, Deputy CAO for Building and Planning Services, requested that the Council Members approve the items as listed on the agenda and provided clarification regarding the policy direction for the Building Zoning & Advisory Committee. She answered questions from and responded to comments made by Council Member Austin.

Representative Austin asked several questions of Ms. Adatao.

Mayor Joe Wardy commented on bureaucracy and personal interests among BZAC members and cautioned the BZAC subcommittees against delaying their respective agendas. He thanked the members of the BZAC and BZAC subcommittees for volunteering their time.

Mr. Roland Correa, Chairman of the BZAC, noted that the BZAC and its subcommittees should complete the project on time and invited the Council Members to attend any of the subcommittee meetings for in-depth discussions.

.....  
\*Motion made, seconded and unanimously carried to delete the Progress Report of the Building & Zoning Advisory Committee (BZAC), including a project scope change and completion timeline.  
.....

## RESOLUTION

**WHEREAS**, the City awarded Contract No. 2002-077 to Office Janitorial Services, on March 5, 2002, for Janitorial Services for Park Facilities (Nations-Tobin Recreation Center); and

**WHEREAS**, the City Council terminates said Contract for convenience pursuant to the provisions of the Contract; and

**WHEREAS**, pursuant to Section C 8A of the Contract (Cancellation for Convenience), the City is authorized to terminate the Contract for convenience; and

### **NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Director of Purchasing is authorized to notify Office Janitorial Services (Professional Office Service), that the City is terminating Contract No. 2002-077 pursuant to the provisions and requirements of Section C 8A of the Contract Clauses due to convenience and that the termination shall be effective as of March 2<sup>nd</sup> 2004.

Mr. Byron Johnson, Purchasing Director, provided explanation and requested that the Council Members terminate the contract for convenience.

Motion made by Representative Cobos, seconded by Representative Power and unanimously carried to approve the above Resolution.

.....  
Motion made by Representative Cushing, seconded by Representative Lozano and unanimously carried to reject Bid Number 2004-081 Professional Exterior Window Washing as recommended by Purchasing and Municipal Service Department, Maintenance Division.

The user department will review this requirement. A new request for bids will be issued at a later date.

Mr. Byron Johnson, Purchasing Director, explained that the item would be re-bid with a revised scope.

.....  
Motion made by Representative Cook, seconded by Representative Cobos and unanimously carried to postpone six weeks an Ordinance amending Title 18 (Buildings and Construction) of the El Paso Municipal Code, by amending Chapter 18.02 (Building and Construction Administrative Code), by adding Section 18.02.101.4.9 (Third Party Plan Review & Inspection Services), amending Section 18.02.103.7 (Fees) and amending Sections 18.02.108 (Inspections) to provide for the review of permit documents and the performance of inspections by approved third party companies. The penalty being as provided in Section 18.04.107 of the Code, and to instruct Staff to give an update in three (3) weeks.

Representative Cook requested that the Legal Department revise the current Ordinance language specifically changing "shall" to "may" and questioned the estimated loss in City revenue to third party plan review contract(s). He requested the item be postponed for two weeks, additionally, requested that City staff return in six months (after the Ordinance had been approved) with a progress report. He also requested the Building Permits & Inspections Department develop a "date stamping" procedure.

Ms. Patricia Aauto, Deputy CAO for Building and Planning Services, concurred with Representative Cook's recommendation regarding changing the Ordinance language and highlighted two additional areas of the Ordinance language requiring further clarification. She requested that the item be postponed three months and explained her reasoning for the postponement.

Mayor Joe Wardy explained that he had advised Ms. Adauto and Mr. R. Alan Shubert, Director of Building Permits & Inspections, to focus on improving inefficiencies within the Building Permits & Inspections Department.

Mr. Alan Shubert, Director of Building Permits and Inspections, responded to comments made by the Council Members and requested the agenda item be postponed for two weeks. He explained the differences between "free market" and "consultant" approaches in reference to third party review contracts.

Representatives Cushing and Escobar asked questions regarding vacant positions in the Building Permits & Inspections Department.

Mr. Jim Martinez, Chief Administrative Officer, explained that the vacant positions were in the process of being filled.

Representative Austin moved to postpone the item for two weeks and questioned whose responsibility it would be to review the third party reviewers.

Mr. Ray Adauto, Executive Director of the El Paso Association of Builders, asked that the inspector positions in the Building Permits and Inspections Department be filled and compared the number of building permits issued by the Cities of Las Cruces and El Paso. He noted that the Association of Builders would be accompanying City staff on their visits to other cities.

Representative Cobos noted that the Builders Association was not opposed to postponing the item and added that he would schedule two Legislative Review Committee of the Whole meetings to allow for further discussion, approximately between two weeks and 90 days from today.

Representative Power moved to postpone the item three weeks, City staff provide the Council Members with their itinerary, schedule and "To Do" list pertaining to the visitation of other cities and revise the Ordinance language changes specifically addressing "shall" to "may". There was no second.

Representative Escobar moved to postpone the item three weeks. Representative Cushing seconded.

Representative Cushing withdrew his second to allow for further public comment.

Representative Austin questioned the need for a third party plan review as the Building Permits and Inspections Department had recently made significant administrative changes.

Mr. Lester Bennett, citizen, commented on the Ordinance language and requested that the Council approve the Ordinance as it was written.

.....  
**ORDINANCE 15703**

The City Clerk read an Ordinance entitled: **AN ORDINANCE CREATING THE BROWNFIELDS REDEVELOPMENT BOARD, AND PROVIDING FOR MEMBERSHIP AND TERMS, OFFICERS, RULES AND REGULATIONS, ADMINISTRATION, AND DUTIES OF THE BOARD.**

The City Clerk called for public comment. There was no public comment.

Motion duly made by Representative Cobos, seconded by Representative Cushing, that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Austin, Cushing, Lozano, Cook, Power, Escobar, Rojas and Cobos  
NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

## ORDINANCE 15704

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 12 (VEHICLES AND TRAFFIC), CHAPTER 12.88 (SCHEDULES), SECTION 12.88.010 (SCHEDULE 1 - ONE WAY STREETS) TO ADD A NEW LOCATION ON CINCINNATI AVENUE, WESTBOUND FROM STANTON STREET TO MESA STREET.**

Mr. Ted Marquez, Traffic Engineer Division Manager – Engineering, explained the proposed plan to convert Cincinnati Street a one-way and the data to support that proposition. He answered questions from and responded to comments made by the Council Members.

Representative Austin commented on the installation of a stop light at Mesa and Cincinnati, the utilization of University parking and other traffic concerns.

Mr. George Cisneros, restaurant and bar owner, commented on the Cincinnati entertainment district, safety concerns and Quality of Life issues.

Dr. Keith Pannell, resident, stated his concerns regarding the number of individuals utilizing Stanton as a detour and the concerns of the residents pertaining to the increased traffic.

Representative Austin moved to approve the Ordinance. There was no second.

Representatives Escobar and Cobos commented.

Mayor Joe Wardy explained that the stop light was a short-term goal in resolving traffic congestion and the possible resolution of redirecting traffic away from the residential area.

Representative Lozano seconded.

The City Clerk called for further public comment. There was no further public comment.

Motion duly made by Representative Austin, seconded by Representative Lozano, that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES:	Council Members Austin, Cushing, Lozano, Cook, Power and Escobar
NAYS:	Council Members Rojas and Cobos
	Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

.....  
\*Motion made, seconded and unanimously carried to postpone four (4) weeks an Ordinance creating Tax Increment Financing District Number Four (No. 4), City of El Paso (50 acre site on the Southeast corner of Viscount and Hawkins Blvd.); making Findings Of Fact concerning the conditions of blight, residential property and assessed valuation within said District; creating a Tax Increment District Board of Directors and defining the powers, duties and terms of office thereof; providing for submission of a plan of improvements for said District; providing for duties of the Tax Assessor; setting the boundaries for said District; and providing a Severability Clause.  
.....

**ORDINANCE 15705**

The City Clerk read an Ordinance entitled: **AN ORDINANCE AUTHORIZING THE MAYOR TO SIGN A CONTRACT OF SALE BETWEEN THE CITY OF EL PASO AND TROPICANA HOMES, INC., FOR THE SALE OF LOTS 79 AND LOT 80, SUNRISE ACRES #1, EL PASO, EL PASO COUNTY.**

The City Clerk called for public comment. There was no public comment.

Motion duly made by Representative Cushing, seconded by Representative Rojas, that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Austin, Cushing, Cook, Power, Escobar, Rojas and Cobos  
NAYS: None Absent: None

Council Member Lozano was not present for the vote.

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

**ORDINANCE 15706**

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF TRACTS 3C1, 3D1 & 3G, BLOCK 6, UPPER VALLEY SURVEYS, EL PASO, EL PASO COUNTY, TEXAS (132 WEST REDD ROAD) FROM C-1/SC (COMMERCIAL/SPECIAL CONTRACT) TO S-D/SC (SPECIAL DEVELOPMENT/SPECIAL CONTRACT). THE PENALTY BEING AS PROVIDED IN SECTION 20.68.010 OF THE EL PASO MUNICIPAL CODE.**

Mr. George G. Sarmiento, Director of Planning, Research and Development, gave a Powerpoint presentation and commented on the conditions pertaining to the Special Contract.

Representative Austin requested further clarification pertaining to the Special Contract and questioned whether there was opposition to the zoning change request.

Mr. Rudy Valdez, Planning, Research and Development, gave further details about the Special Contract conditions. He responded that the Planning, Research and Development Department had not received any opposition to the zoning change request.

The City Clerk called for public comment. There was no public comment.

Motion duly made by Representative Austin, seconded by Representative Cushing, that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Austin, Cushing, Lozano, Cook, Power and Escobar  
NAYS: None Absent: None

Council Members Rojas and Cobos were not present for the vote.

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

## **ORDINANCE 15707**

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF A PORTION OF TRACT 1, SECTION 4, BLOCK 79, TOWNSHIP 3, T & PRRC SURVEYS, EL PASO, EL PASO COUNTY, TEXAS (WEST OF ZARAGOZA ROAD & SUN FIRE BLVD.) FROM C-3/SC (COMMERCIAL/SPECIAL CONTRACT) TO PR-2/SC (PLANNED RESIDENTIAL/SPECIAL CONTRACT). THE PENALTY BEING AS PROVIDED IN SECTION 20.68.010 OF THE EL PASO MUNICIPAL CODE.**

Mr. George G. Sarmiento, Director of Planning, Research and Development, gave a Powerpoint presentation and expounded on the zoning change request amenities. He added that the DCC (Development Coordinating Committee) and CPC (City Plan Commission) had unanimously approved the zoning change request.

Representative Power commented.

The City Clerk called for public comment. There was no public comment.

Motion duly made by Representative Power, seconded by Representative Cook, that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Lozano, Cook, Power, Escobar and Rojas  
NAYS: None Absent: None

Council Members Austin, Cushing and Cobos were not present for the vote.

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

## **ORDINANCE 15708**

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF PARCEL 1: A PORTION OF TRACT 1A1, NELLIE D. MUNDY SURVEY NO. 243, EL PASO, EL PASO COUNTY, TEXAS FROM R-3 (RESIDENTIAL) TO C-4 (COMMERCIAL) AND IMPOSING CERTAIN CONDITIONS, PARCEL 2: A PORTION OF TRACT 1A1, NELLIE D. MUNDY SURVEY NO. 243, EL PASO, EL PASO COUNTY, TEXAS FROM PMD (PLANNED MOUNTAIN DEVELOPMENT) TO C-4 (COMMERCIAL) AND IMPOSING CERTAIN CONDITIONS, PARCEL 3: A PORTION OF TRACT 1D, NELLIE D. MUNDY SURVEY NO. 243, EL PASO, EL PASO COUNTY, TEXAS FROM R-3 (RESIDENTIAL) TO R-3A (RESIDENTIAL), PARCEL 4: A PORTION OF TRACT 1D, NELLIE D. MUNDY SURVEY NO. 243, EL PASO, EL PASO COUNTY, TEXAS FROM PMD (PLANNED MOUNTAIN DEVELOPMENT) TO C-3 (COMMERCIAL) AND IMPOSING CERTAIN CONDITIONS, PARCEL 5: A PORTION OF TRACT 10B4, NELLIE D. MUNDY SURVEY NO. 239 AND A PORTION OF TRACT 2D, NELLIE D. MUNDY SURVEY NO. 243, EL PASO, EL PASO COUNTY, TEXAS FROM M-1 (LIGHT MANUFACTURING) TO C-4 (COMMERCIAL) AND IMPOSING CERTAIN CONDITIONS, PARCEL 6: A PORTION OF RESLER DRIVE AND A PORTION OF TRACT 2E, NELLIE D. MUNDY SURVEY NO. 243, EL PASO, EL PASO COUNTY, TEXAS FROM PMD (PLANNED MOUNTAIN DEVELOPMENT) TO C-4 (COMMERCIAL) AND IMPOSING CERTAIN CONDITIONS, PARCEL 7: RESLER DRIVE AND A PORTION OF TRACTS 2E & 4G, NELLIE D. MUNDY SURVEY NO. 240 AND A PORTION OF TRACT 1B, NELLIE D. MUNDY SURVEY NO. 242 AND ALL OF TRACT 2A & A PORTION OF TRACT 2E, NELLIE D. MUNDY SURVEY NO. 243, EL PASO, EL PASO COUNTY, TEXAS FROM R-3 (RESIDENTIAL) TO C-4 (COMMERCIAL) AND IMPOSING CERTAIN CONDITIONS, PARCEL 8: A PORTION OF TRACT 2C, NELLIE D. MUNDY SURVEY NO. 243, EL PASO, EL PASO COUNTY, TEXAS FROM PMD (PLANNED MOUNTAIN DEVELOPMENT) TO C-3 (COMMERCIAL) AND IMPOSING CERTAIN CONDITIONS, PARCEL 9: A PORTION OF TRACT 3B, NELLIE D. MUNDY SURVEY NO. 242 AND A PORTION OF TRACT 2C, NELLIE D. MUNDY SURVEY NO. 243, EL PASO, EL PASO COUNTY, TEXAS FROM R-3 (RESIDENTIAL) TO C-3 (COMMERCIAL) AND IMPOSING CERTAIN CONDITIONS. THE PENALTY BEING AS PROVIDED IN CHAPTER 20.68 OF THE EL PASO MUNICIPAL CODE.**

Mr. George G. Sarmiento, Director of Planning, Research and Development, gave a Powerpoint presentation regarding the Resler Road Extension and noted that the Ordinance had been approved January, 2004. He explained the rezoning changes pertaining to the above listed parcels. He answered questions from and responded to comments made by the Council Members.

Representative Cook questioned the 75-foot buffer toward the Interstate rather than the Planned Mountain Development ("PMD").

Mr. Rudy Valdez, Chief Urban Planner, further explained that the frontage along Woodrow Bean/Transmountain was rezoned as PMD in the 1980's with the intent to provide a scenic corridor.

Representative Power questioned whether or not the developer would extend the landscaping buffer up to the proposed buildings rather than a swath of undeveloped land between the landscaping and the proposed buildings. He was concerned that the vacant land would collect debris and weeds.

Mr. Valdez provided additional explanatory comments regarding the widening of Woodrow Bean/Transmountain, a proposed linear park and proposed revenue from park fees.

Representative Lozano commented on negligent care of buffers.

Mayor Joe Wardy commented on trash accumulating within buffers and inherent problems.

Representative Austin explained that the applicant was requesting the Council Members approve the 40-foot buffer and concurred with the applicant's request. She read into the record proposed amendments to the Detailed Site Development Plan and 40-foot buffer Ordinance language.

1<sup>st</sup> Amendment: "A 40-foot wide buffer shall be required abutting Loop 375 right-of-way and any future frontage roads. Within this 40-foot buffer, a minimum 25-foot landscaped area to include a 12-foot bike trail except for ingress and egress or egress access location shall be required. The additional 15-foot buffer can include the requirements of Chapter 20.65 of the El Paso Municipal Code. This 40-foot buffer shall be completed prior to the issuance of any Certificate of Occupancy."

Mr. Matt Watson, Assistant City Attorney, provided legal advice.

Motion made by Representative Austin, seconded by Representative Cook and unanimously carried to amend the Ordinance.

AYES:	Representatives Austin, Cushing, Lozano, Cook, Power, Escobar, Rojas and Cobos
NAYS:	None
NOT PRESENT:	None

2<sup>nd</sup> Amendment: "Require that the diagram of the 40-foot cross section of the landscaping (Option C) be attached to the Ordinance and that those specifications be adhered to when the plans submitted to Building Permits and Inspections include a landscaping plan and that the Detailed Site Review requirement be deleted.

Motion made by Representative Austin, seconded by Representative Power and unanimously carried to amend the Ordinance.

AYES:	Representatives Austin, Cushing, Lozano, Cook, Power, Escobar, Rojas and Cobos
NAYS:	None
NOT PRESENT:	None



Representative Cook requested that Representative Austin take a pro-active role regarding the Public Service Board and added comments addressing the protection of the Franklin Mountains.

Mr. Brent Harris, Plexxar Capital representative, noted that it would be the responsibility of the property owner to maintain the landscape clean for perpetuity.

The City Clerk called for further public comment. There was no further public comment.

Motion duly made by Representative Austin, seconded by Representative Cook, that the Ordinance be adopted as amended. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Austin, Cushing, Lozano, Cook, Power, Escobar, Rojas and Cobos  
NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

**ORDINANCE 15709**

The City Clerk read an Ordinance entitled: **AN ORDINANCE APPROVING THE CHIHUAHUITA NEIGHBORHOOD ASSOCIATION PLAN AS A SPECIFIC STUDY AREA PLAN TO BE INCORPORATED INTO THE CITY'S COMPREHENSIVE PLAN, THE PLAN FOR EL PASO, AND WHICH NEIGHBORHOOD PLAN SHALL AMEND THE YEAR 2025 GENERAL LAND USE MAP INCORPORATED THEREIN AS TO THE CHIHUAHUITA NEIGHBORHOOD.**

Mr. George G. Sarmiento, Director of Planning, Research and Development, gave a Powerpoint presentation and specifically thanked Department staff members, Ms. Veronica Rosales and Ms. Caraylon Sherman for their dedication to the project. He answered questions from and responded to comments made by the Council Members.

Representative Cobos asked Mr. Sarmiento questions regarding the proposed bus terminal and thanked the Chihuahueta residents for their cooperation and support. He recognized Ms. Sherman for her great efforts and thanked Mayor Joe Wardy for implementing the Neighborhoods First program.

Ms. Caraylon Sherman, Planning, Research and Development Department, commented.

Representative Lozano asked questions regarding the Border Highway.

The following members of the public spoke in support of the Ordinance:

- Ms. Manuela Rodriguez, resident of Chihuahueta Neighborhood;
- Ms. Noemi Santiesteban, resident of Chihuahueta Neighborhood;
- Mr. Jorge Cervera, resident of Chihuahueta Neighborhood;
- Mr. Miguel Rodriguez, resident of Chihuahueta Neighborhood; and
- Mr. Fred Morales, resident of Chihuahueta Neighborhood

The City Clerk called for further public comment. There was no further public comment.

Motion duly made by Representative Cobos, seconded by Representative Rojas, that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Austin, Cushing, Lozano, Cook, Power, Escobar, Rojas and Cobos  
NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

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**ORDINANCE 15710**

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 13 (STREETS, SIDEWALKS AND PUBLIC PLACES), CHAPTER 13.25 (EL PASO ZOO), SECTION 13.25.010 (ADMISSION FEES TO EL PASO ZOO) TO PROVIDE FOR ADDITIONAL DISCOUNTED FEES FOR ADMISSION TO THE ZOO.**

Ms. Julie Kallman, President of the Junior League of El Paso, commented on the upcoming "Bite of the Border" event to be held at the zoo.

The City Clerk called for further public comment. There was no further public comment.

Motion duly made by Representative Cook, seconded by Representative Power, that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Austin, Cushing, Lozano, Cook, Power, Escobar and Cobos  
NAYS: None Absent: None

Council Member Rojas was not present for the vote.

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

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**RESOLUTION**

WHEREAS, the Director for Building Permits and Inspections and the Fire Marshal of the City of El Paso have conducted an investigation and have reported to the City Council in writing that they are of the opinion that the structures located on the property at 1413 E. Nevada Avenue, in El Paso, Texas, which property is more particularly described as follows:

The East 13 feet of Lots 15 and 16 and the West 21 ½ feet of Lot 16, Block 98, Franklin Heights Addition, an Addition to the City of El Paso, El Paso County, Texas, according to the map thereof on File in Book 9, Page 63, Plat Records of El Paso County, Texas

are dilapidated, substandard, and unfit for human habitation; is a hazard to public health, safety, and welfare; does not meet the minimum standards for continued use and occupancy contained in Titles 17 and 18 of the Municipal Code which are adopted and incorporated by reference into Section 18.52; and

WHEREAS, Cristina Ramirez Gaytan, 11325 Lake Nemi Drive, El Paso, Texas 79936, record Owner, and all mortgagees and lienholders were duly notified according to law to appear at a public hearing before City Council at 9:00 a.m. on February 17<sup>th</sup>, 2004 and postponed to March 2<sup>nd</sup>, 2004; and

WHEREAS, NO ONE, APPEARED,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. That City Council having heard the evidence, makes the following findings:
  - a. That the structures located on said property are unsafe, substandard, unfit for human habitation or use, and therefore a hazard to the public health, safety, and welfare; and
  - b. That the structures are not in substantial compliance with municipal ordinances regulating fire protection, structural integrity, and disposal of refuse; and
  - c. The structure's certificate of occupancy is hereby revoked; and
  - d. Since the owner has failed to supply any drawings, plans, or reports to indicate otherwise, we find that the structure cannot be repaired.
2. That the City Council hereby orders Owner to comply with the following requirements:
  - a. That the main Building and accessory Building be demolished within (30) days; and
  - b. That the premises be cleaned of all weeds, trash and debris within (30) days; and
  - c. That the Owner of said Buildings is hereby ordered to comply with all requirements of the Resolution; and
  - d. The owner is advised that in order to obtain a new certificate of occupancy, the entire buildings and their services systems must be brought into compliance with the current codes.
  - e. That upon failure of the Owner to comply with this Resolution, any mortgagees, lienholder, and other persons having an interest in the property have an additional ten (10) days to demolish the main Building and accessory Building and clean the premises of all weeds, trash, and debris; and
3. That upon failure of the Owner to comply with this Order, the City of El Paso through its Director for Building Permits and Inspections may demolish the main Building and accessory Building and clean the premises of all weeds, trash, and debris at its own expense, but for and on account of the Owner of said property; and
4. That said Owner shall become personally liable for all costs incurred by City in connection with demolishing the main Building and accessory Building and cleaning the premises of all weeds, trash and debris; and
5. That the costs incurred by the City in connection with demolishing the main Building and accessory Building and cleaning the premises of all weeds, trash, and debris shall become due and payable within thirty (30) days of the date of completion of the work and such cost shall be assessed as a lien against the property unless paid; and
6. That upon failure of the Owner to comply with this Order, one or all of the following actions will be taken:
  - a. The City may perform any and all work needed to bring the property into compliance with this order, at its own expense but for and on account of the Owner of said property, the cost of which shall be assessed as a lien against the property; and
  - b. That upon failure of the Owner to comply with this order the City Council may assess a civil penalty against the property Owner in an amount not to exceed \$1,000.00 a day for each violation or, if the Owner shows that the property is the Owner's lawful homestead, in an amount not to exceed ten (10) dollars a day for each violation; and
  - c. That upon failure of the Owner to comply with this order, the Owner may be confined in jail as permitted by state law; and
7. That upon failure of the Owner, any mortgagees or lienholders to restore the Buildings so that it complies with all relevant City Code requirements, the City of El Paso, if applicable, may bring an action in District Court to request appointment of a receiver for the rehabilitation of said property pursuant to Section 214.003 of the Texas Local Government Code; and

8. The Owner, any mortgagees, or lienholders have a right to appeal these findings to a court of competent jurisdiction within ten (10) days after notice of this Resolution. The findings shall become final after ten (10) days of receipt of Notice; and
9. That any civil penalty or assessment imposed will accrue interest at a rate of ten (10) percent a year from the date of assessment until paid in full; and
10. That the City Clerk is ordered to cause copies of this Resolution to be served on the record Owner and all other persons having interest in the property as provided by law.

According to the real property records of El Paso County, you own the property described in this notice. If you no longer own the property, you must execute an affidavit stating that you no longer own the property and stating the name and last known address of the person who acquired the property from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to this office no later than the 20<sup>th</sup> day after the date you receive this notice. If you do not send the affidavit, it will be presumed that you own the property described in this notice, even if you do not.

Mr. Thomas Maguire, Building Permits and Inspections, presented the case to Council Members and gave the department's recommendation(s). He also mentioned that there is a lawsuit for delinquent taxes.

Ms. Ernestina Milliorn, adjacent property owner, complained that homeless people have overtaken the property and that the area was exposed to young children.

Motion made by Representative Cobos, seconded by Representative Cook and unanimously carried to approve the above Resolution.

Representative Austin was not present for the vote.

Motion made by Representative Cobos, seconded by Representative Lozano and unanimously carried to postpone four (4) weeks the public hearing to determine if the property located at 3303 Frutas Avenue, in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished. The owner of this property, Margarita Alvarez, 3544 East Glen Drive, #B, El Paso, Texas 79936, has been notified of the violations at this property. Delinquent taxes in the amount of \$7,173.03.

#### RESOLUTION

WHEREAS, the Director for Building Permits and Inspections and the Fire Marshal of the City of El Paso have conducted an investigation and have reported to the City Council in writing that they are of the opinion that the structures located on the property at 10312 Hollyhock Drive, in El Paso, Texas, which property is more particularly described as follows:

Lot: 32, Block 11, Sun Valley Addition Section Two, an Addition to the City of El Paso, El Paso County, Texas, according to the map thereof on File in Book 9, Page 26, Plat Records of El Paso County, Texas

are dilapidated, substandard, and unfit for human habitation; is a hazard to public health, safety, and welfare; does not meet the minimum standards for continued use and occupancy contained in Titles 17 and 18 of the Municipal Code which are adopted and incorporated by reference into Section 18.52; and

WHEREAS, Cash Investments, Inc., 8201 Lockhead Drive Suite 235, El Paso, Texas 79925, record Owner, and all mortgagees and lienholders were duly notified according to law to appear at a public hearing before City Council at 9:00 a.m. on March 2<sup>nd</sup>, 2004; and

WHEREAS, NO ONE, APPEARED,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. That City Council having heard the evidence, makes the following findings:
  - a. That the structures located on said property are unsafe, substandard, unfit for human habitation or use, and therefore a hazard to the public health, safety, and welfare; and
  - b. That the structures are not in substantial compliance with municipal ordinances regulating fire protection, structural integrity, and disposal of refuse; and
  - c. The structure's certificate of occupancy is hereby revoked; and
  - d. Since the owner has failed to supply any drawings, plans, or reports to indicate otherwise, we find that the structures cannot be repaired.
2. That the City Council hereby orders Owner to comply with the following requirements:
  - a. That the main Building and the accessory Building be demolished within (30) days; and
  - b. That the premises be cleaned of all weeds, trash and debris within (30) days; and
  - c. That the Owner of said Buildings is hereby ordered to comply with all requirements of the Resolution; and
  - d. The owner is advised that in order to obtain a new certificate of occupancy, the entire buildings and their services systems must be brought into compliance with the current codes.
  - e. That upon failure of the Owner to comply with this Resolution, any mortgagees, lienholder, and other persons having an interest in the property have an additional ten (10) days to demolish the Buildings and clean the premises of all weeds, trash, and debris; and
3. That upon failure of the Owner to comply with this Order, the City of El Paso through its Director for Building Permits and Inspections may demolish the Buildings and clean the premises of all weeds, trash, and debris at its own expense, but for and on account of the Owner of said property; and
4. That said Owner shall become personally liable for all costs incurred by City in connection with the demolition of the Buildings and cleaning the premises of all weeds, trash and debris; and
5. That the costs incurred by the City in connection with the demolition of the Buildings and cleaning the premises of all weeds, trash, and debris shall become due and payable within thirty (30) days of the date of completion of the work and such cost shall be assessed as a lien against the property unless paid; and
6. That upon failure of the Owner to comply with this Order, one or all of the following actions will be taken:
  - a. The City may perform any and all work needed to bring the property into compliance with this order, at its own expense but for and on account of the Owner of said property, the cost of which shall be assessed as a lien against the property; and

- b. That upon failure of the Owner to comply with this order the City Council may assess a civil penalty against the property Owner in an amount not to exceed \$1,000.00 a day for each violation or, if the Owner shows that the property is the Owner's lawful homestead, in an amount not to exceed ten (10) dollars a day for each violation; and
  - c. That upon failure of the Owner to comply with this order, the Owner may be confined in jail as permitted by state law; and
- 7. That upon failure of the Owner, any mortgagees or lienholders to restore the Buildings so that it complies with all relevant City Code requirements, the City of El Paso, if applicable, may bring an action in District Court to request appointment of a receiver for the rehabilitation of said property pursuant to Section 214.003 of the Texas Local Government Code; and
- 8. The Owner, any mortgagees, or lienholders have a right to appeal these findings to a court of competent jurisdiction within ten (10) days after notice of this Resolution. The findings shall become final after ten (10) days of receipt of Notice; and
- 9. That any civil penalty or assessment imposed will accrue interest at a rate of ten (10) percent a year from the date of assessment until paid in full; and
- 10. That the City Clerk is ordered to cause copies of this Resolution to be served on the record Owner and all other persons having interest in the property as provided by law.

According to the real property records of El Paso County, you own the property described in this notice. If you no longer own the property, you must execute an affidavit stating that you no longer own the property and stating the name and last known address of the person who acquired the property from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to this office no later than the 20<sup>th</sup> day after the date you receive this notice. If you do not send the affidavit, it will be presumed that you own the property described in this notice, even if you do not.

Mr. Thomas Maguire, Building Permits and Inspections, presented the case to Council Members and gave the department's recommendation(s).

Motion made by Representative Cook, seconded by Representative Rojas and unanimously carried to approve the above Resolution.

Representative Austin was not present for the vote.

NOTE: Delinquent taxes have been paid in full.

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 Motion made by Representative Lozano, seconded by Representative Cobos and unanimously carried to postpone four (4) weeks the public hearing to determine if the property located at 10217 Shipley Avenue, in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished. First investigated October 1<sup>st</sup>, 2003. The owner of this property, Luvania L. Nunez, 10000 Honolulu Drive, El Paso, Texas 79925, has been notified of the violations at this property. Delinquent taxes in the amount of \$3,682.67.

Representative Austin was not present for the vote.

Mr. Thomas Maguire, Building Permits and Inspections, presented the case to Council Members and gave the department's recommendation(s).

Representative Lozano explained that he had visited the property on two occasions last week and that the property was boarded and secured. He explained that a proposed buyer had requested additional time to clean the property.

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No action was taken on the following item: Displaced workers with limited English should be part of City's economic development plans. [Border Workers Association]

Mr. Guillermo Glenn, representing Border Workers Association, presented literature to the Council Members (on file in the City Clerk's office) and suggested that the City of El Paso convene a Special Committee to address laid off Spanish speaking workers need for job retraining, learning the English language, and other issues. He stated that it would behoove the City and County of El Paso to develop a bi-lingual development structure to address training and other economic development matters. He answered questions from and responded to comments made by the Council Members.

Mayor Joe Wardy concurred with Mr. Glenn's comments and added that the foundation for economic development infrastructure was education and workforce training for all El Pasoans. He explained that he would be traveling to Washington, D.C., next week and would discuss these issues with the Department of Labor and perhaps secure specialized job funds.

Mr. Jim Martinez, Chief Administrative Officer, noted that he had had lengthy discussions with Mr. Glenn and added that the City had requested the Department of Labor approve the Trade petition submitted by Media Copy workers.

Representative Austin asked whether the Texas Workforce Development Board had been contacted regarding the development of a "Workforce" Category and commented on the IPED Study requested by the Texas Workforce Development Board and conducted by the University of Texas at El Paso.

Representative Power added that the Mayor was working with an Economic Development group to address education and workforce development and stated that it benefit all to include the public. He commented that the City must create the policy and become involved in workforce training and those inclusive issues.

Representative Cobos commented on the need for bilingual infrastructure and the need for a bilingual program for English only speakers.

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**ADDITION TO THE AGENDA**

\*Motion made, seconded and unanimously carried to postpone one (1) week the Resolution that the Mayor be authorized to sign a Sub-License Agreement between Access Administrators, Inc. and the City of El Paso, which will allow the City to use 100 parking spaces, within the parking garage at 200 Kansas Street, at the cost of \$20.00 per permit.

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\*Motion made, seconded and unanimously carried to appoint Alma Wilson to the Parks and Recreation Advisory Board by Representative Vivian Rojas, District 7.

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\*Motion made, seconded and unanimously carried to approve the installation, power, and maintenance of residential street light at the following location:

Alley behind 807 Tays Street. Estimated cost is \$464.00. Funding source to be provided from District 8's Discretionary Account.

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\*Motion made, seconded and unanimously carried to authorize to allocate \$500.00 from District #7 Special Projects Account to the El Paso Public Library to co-sponsor the "Dia de Los Niños/Dia de Los Libros" event that will be held on April 24, 2004.  
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Motion made, seconded and unanimously carried to move to the regular agenda the request that the Director of Purchasing be authorized to issue a Purchase Order to Oracle Corporation in the amount of \$498,370.00. Oracle Corporation is the sole provider for Software/License System, Improvements, Maintenance and Enhancements (Contract Number 2004-129).

Mr. Byron Johnson, Purchasing Director, explained the requirements of the Oracle Corporation Agreement.

Mayor Joe Wardy noted that it was the City's intent to continue utilizing PeopleSoft and explained that the Information Technology Board validated the Information Technology Department's plans.

Motion made by Representative Cushing, seconded by Representative Cobos and unanimously carried to authorize to authorize the Director of Purchasing to issue a Purchase Order to Oracle Corporation in the amount of \$498,370.00. Oracle Corporation is the sole provider for Software/License System, Improvements, Maintenance and Enhancements. (Contract Number 2004-129)

Additionally, it is requested that the Mayor be authorized to sign any additional documents, contracts, and/or agreements (amendments).

Award amount: \$498,370.00  
Funds available: 31135001-0110-508010 & 39010351-01101-502229  
Fund source: General Funds

Department: Information Technology

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Motion made by Representative Cushing, seconded by Representative Power and unanimously carried to approve the "Use of Contingency Funds Policy for 2000 Quality of Life Projects" as recommended by the Bond Overview Advisory Committee.

Representative Austin was not present for the vote.

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\*Motion made, seconded and unanimously carried to postpone four (4) weeks the following executive session item:

Jesus Luna, 03-C-123 (551.071)

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\*Motion made, seconded and unanimously carried to postpone one (1) week the following executive session item:

Discussion and Action on Enforcement of Chapter 5.54 of the City of El Paso Municipal Code. (551.071)

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Motion made by Representative Escobar, seconded by Representative Cobos and unanimously carried that the City Council retire into **EXECUTIVE SESSION** at 1:30 p.m. pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Sections 551.071 - 551.076 to discuss any of the following:

Representative Escobar was not present for the vote.

Section 551.071 CONSULTATION WITH ATTORNEY  
Section 551.072 DELIBERATION REGARDING REAL PROPERTY  
Section 551.073 DELIBERATION REGARDING PROSPECTIVE GIFTS  
Section 551.074 PERSONNEL MATTERS  
Section 551.076 DELIBERATION REGARDING SECURITY DEVICES



- A. William McGrath, 03-C-255 (551.071)
- B. Esperanza Lopez, 03-C-257 (551.071)
- C. Eddie E. Bernal vs. El Paso City-County Health and Environmental District, Cause No. 99-1901 (551.071)
- D. Discussion and Action on Cause No. 20040D00188, Court of Inquiry. (551.071)
- E. Joseph Smith, 03-C-171 (551.071)

Motion made by Representative Escobar, seconded by Representative Austin and unanimously carried to adjourn the Executive Session at 2:12 p.m. and reconvene the meeting of the City Council, during which time motions were made as follows:

Representatives Cushing, Power and Cobos were not present for the vote.

Motion made by Representative Escobar, seconded by Representative Cook and unanimously carried that the claim entitled **WILLIAM MCGRATH; Our File No. 02-C-255** be **DENIED** as recommended by the City Attorney.

Representatives Cushing, Power and Cobos were not present for the vote.

Motion made by Representative Escobar, seconded by Representative Cook and unanimously carried that the claim entitled **ESPERANZA LOPEZ; Our File No. 02-C-257** be **DENIED** as recommended by the City Attorney.

Representatives Cushing, Power and Cobos were not present for the vote.

No action was taken on the following executive session item:

Eddie E. Bernal vs. El Paso City-County Health and Environmental District, Cause No. 99-1901 (551.071)

No action was taken on the following executive session item:

Discussion and Action on Cause No. 20040D00188, Court of Inquiry (551.071)

NOTE: Cause No. was revised from "2004D00180" to "2004D00188".

Motion made by Representative Escobar, seconded by Representative Cook and unanimously carried that the claim entitled **Joseph Smith; Our File No. 03-C-171** be **DENIED** as recommended by the City Attorney.

Representatives Cushing, Power and Cobos were not present for the vote.

Motion made by Representative Cook, seconded by Representative Escobar and unanimously carried to adjourn this meeting at 2:15 p.m.

Representatives Cushing, Power and Cobos were not present for the vote.

APPROVED AS TO CONTENT:

  
 Richarda Duffy Momsen, City Clerk